

The abiding confusion of law abiding citizens

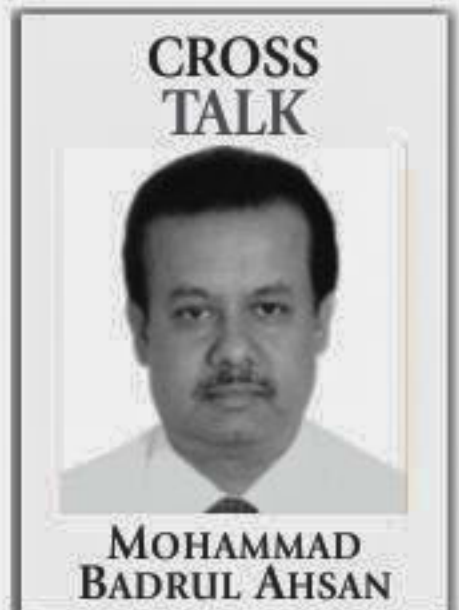
Address impediments to investment

Govt must improve business climate

THE quarterly economic review unveiled by the Metropolitan Chamber of Commerce and Industry on February 10 has called on the government to do more to bring back investors' confidence in the economy. Presently the investment rate falls far below the required 35 percent of the GDP to achieve the government's target of achieving 7 percent annual growth. For that to happen, the overall business climate must improve. We agree with the findings that political stability, improved infrastructure and ease of access to bank credit are all fundamental prerequisites to investment.

Besides these, issues that scare away many investors are the manner in which public policy fluctuates, the regulatory framework governing foreign investments and general lack of industrial estates and rules that apply to such estates. Unless a way out of the lack in quality and consistent power supply is found, investments in new manufacturing units will not be so easily forthcoming. While it has been found that the services sector is performing well, further government support is needed to make the sector flourish. The stock markets, however, have not rebounded primarily due to a failure to allay investors' fears despite efforts by regulators.

All in all, there has to be a general rethinking to address these impediments at the policy level if we are to see a surge in private sector investments. It is all about changing perceptions of investors that Bangladesh is a safe place to invest in through policy reforms and getting crucial infrastructure projects off the ground in a timely fashion.



CROSS TALK
MOHAMMAD BADRUL AHSAN

TWO leading lights of our legal system have locked horns, and it has got the rest of us worried. The Chief Justice asked a retired justice of the Appellate

Division to immediately return all official files in his possession because the highest judicial officer in the country strongly believes that verdicts written by judges after their retirement go against the Constitution and its spirit. The retired justice not only refused to comply but also sent 65 verdicts in defiance of the Chief Justice's edict. Then he accused the Chief Justice of acting as a spokesman for the leader of a certain political party.

Both sides involved in this controversy are high judicial persons, and that's precisely what makes us confused. Like a river always runs between two banks, confusion always runs between two arguments. Many of us are going back and forth in our minds to figure out which of the two learned views we should accept.

The crux of the matter lies in two conflicting questions. One is why justices were allowed in the past to write verdicts after retirement if the

practice was an affront to the sanctity of our Constitution. Another is why a retired justice is insisting on an unconstitutional practice when it should be his solemn duty to uphold the most hallowed document of this country.

Not to say that all judges should always agree on all matters. It's possible that all their interpretations may not be convergent but divergent as well. But the sparks flying between

impropriety in all activities, and that a judge should refrain from political activity. Treading the minefield of legal sensitivities, we don't even know if, as members of the laity, it falls within our rights to point out these essential things. Justice is sadly a one-way proposition. Judges can tell what we do wrong, but the other way around is closed to traffic.

That's why the independence of judicial minds is so important. And

happening. This shouldn't be one of those flash-in-the-pan issues that are forgotten as quickly as fermented. We need to understand who is right and who is wrong as well as how to go about it in the future. Law can't be an ad hoc thing, and it shouldn't be a coat one has to cut according to one's cloth. Something must be entirely legal or entirely illegal for the same reason that drop of cow urine spoils a whole bucket of milk.

Hence, more needs to be done to get to the bottom of this matter. It's not enough if the law minister has avoided an event where the retired judge was scheduled to speak. It's not enough if a group of former judges have scathed their former colleague in support of the Chief Justice.

If anybody cares, two things must be settled through this controversy. We should decide what the judges can do, and who are qualified to become judges. In our deluded minds we shouldn't expect mangoes to grow on jackfruit trees!

That tells us what's lacking in the system that needs to be fixed. Justice is a delicate balance. The wisdom to tell others what they have done wrong must be accompanied by the knowledge to know when they are wrong themselves.

The writer is the Editor of weekly *First News* and a columnist for *The Daily Star*. Email: badrul151@yahoo.com

We need to understand who is right and who is wrong as well as how to go about it in the future. Law can't be an ad hoc thing, and it shouldn't be a coat one has to cut according to one's cloth.

the two judges in this particular instance seem to have gone beyond the ken of legal science. They could have sat together to brainstorm and peter out their differences. Instead, they have chosen to exchange broadsides in public much to everybody's utter surprise.

Two of the five canons of the code of conduct for the United States judges state that a judge should avoid impropriety and the appearance of

that's also why they are supposed to be raised on the fabled staple of austerity, because their responsibility to interpret the law may be comparable to the devotion of monks interpreting scriptures. This is where we have stumbled upon the shattered pieces of our common sense. Judges may not always agree on their interpretation of law, but why should they differ on its implementation!

So, we need to understand what's

A rickshaw-puller's plight

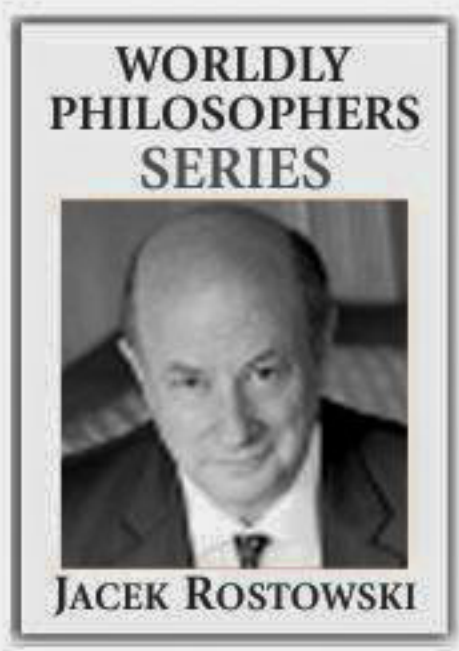
Put a leash on police violence

THE horrifying news of a rickshaw puller shot by cops during an alleged extortion drive has, once again, brought to the fore the unethical and illegal practices of our law enforcement agencies. On Sunday evening, Shomrat Shahjahan Shaju and three others from his slum were targeted by four policemen allegedly for extortion purposes. When they reached for Shaju's mobile phone and money, the latter resisted, resulting in him being verbally and physically assaulted, and finally shot at by the police, in a locked room, as reported by the media. Even though Shaju managed to free his left foot in time as one of the cops shot at him, he still suffered severe injuries, losing his big toe.

To begin with, that the police would go after rickshaw pullers and slum dwellers to extort their hard-earned money is reprehensible. But to resort to such extreme violence to get their hands on a poor man's mobile phone and Tk 100 demonstrates a level of cruelty that in no way can be acceptable in a force entrusted with the protection of the people.

We are frustrated to note that such acts against innocent citizens show no signs of abatement. Our repeated appeals to the administration to take stern action against the perpetrators and undertake long structural reforms of the whole institution seem to be falling on deaf ears, with no noticeable action by the institution to change the status quo.

Meanwhile, what is to happen to the impoverished family whose only breadwinner is now incapacitated? It is high time we institute an independent mechanism through which victims of police brutality can not only seek justice, but also compensation for the losses to their lives and livelihoods.



WORLDLY PHILOSOPHERS SERIES
JACEK ROSTOWSKI

balance of power away from the United States and Western Europe.

Today, the BRICS look like less of a geopolitical threat to the West. Russia, Brazil, and South Africa are in severe economic straits, and China is wobbling. Only India maintains its luster. And yet the West is coming under pressure again, including in its own backyard. This time, the challenge is political, not economic: the rise of politicians who relish conflict and disdain national and international law and democratic norms.

I call such leaders "PEKOs," after the four most prominent examples of their kind: Russian President Vladimir Putin, Turkish President Recep Tayyip Erdoğan, the Polish politician Jarosław Kaczyński, and Hungarian Prime Minister Viktor Orbán.

PEKOs do not view politics as the management of collective emotions in order to achieve broad policy goals: faster economic growth, a more equitable distribution of income, or greater national security, power, and prestige. Instead, they regard politics as an endless series of intrigues and purges aimed at preserving personal power and privilege.

The PEKOs share the Russian revolutionary Vladimir Lenin's belief that "politics must take precedence over economics." Indeed, they value it over every other kind of policy consideration. Politics is not a means to an end, but the air they breathe, and policies are merely instruments in their endless struggle to stay alive.

It would be a mistake, however, to think of the PEKOs as today's equivalent of the "Great Dictators" of the 1930s. The PEKOs may be nationalists, but their opinions would not have been out of place in the drawing rooms of Europe before World War I (the same cannot be said of the Nazis or the Spanish Falange).

Nor is their economic approach necessarily statist. Putin certainly has strong dirigiste leanings, but if Orbán and Kaczyński are deserving of the label, then so was French President Charles de Gaulle. And Erdoğan has actually dismantled Kemalist statism in Turkey and introduced free-market policies.

The biggest difference between the Great Dictators

PROJECT SYNDICATE The Great Populists

and the PEKOs is that the latter regularly have to face their electorates. Indeed, their confrontational politics is the central element of their survival strategy. Each one of them has gained (or maintained) power by polarising their societies and mobilising their electoral base.

The PEKOs' political style has been enabled by modern news media, which, scrambling for audience share, simplify and sensationalise issues. Starkly antagonistic statements and positions tend to gain the most exposure. This gives confrontational politicians a powerful advantage, and produces the electoral polarisation on which the PEKOs have fed.

the world during the quarter-century since the fall of Communism, they have become dependent on rules-based stability and economic integration. Their fortunes will increasingly depend on developing strategies to avoid (or at least hedge) the new risks posed by PEKOs.

To make matters worse, the PEKO phenomenon seems to be capable of spreading even to the heart of the West. Examples include Scottish and Catalan nationalists and British politicians campaigning to pull the United Kingdom out of the European Union. Those who champion these causes have been shockingly dismissive of the massive economic



This political strategy is undoubtedly effective. In Russia, for example, real wages fell by more than 9 percent in 2015, and the share of Russian families that cannot afford adequate food or clothing has increased from 22 percent to 39 percent. And yet Putin's approval rating remains at 80 percent.

Unlike the emergence of the BRICS, which ultimately was a boon to the world economy, the rise of the PEKOs poses a real threat – especially as they begin to apply their confrontational approach to foreign affairs and global economic governance. International firms should be particularly concerned. Having spread their operations across

damage their proposals would likely cause their own societies.

Similarly, in at least two major Western democracies, serious candidates for the highest office are acting like PEKOs: US Presidential candidate Donald Trump and the French National Front leader Marine Le Pen, who will seek her country's presidency in 2017. If their bids for power succeed, the dangers posed to global stability will rise by an order of magnitude.

The writer was Minister of Finance and Deputy Prime Minister of Poland from 2007 to 2013. Copyright: Project Syndicate, 2016. www.project-syndicate.org (Exclusive to *The Daily Star*)

COMMENTS

"Shooting of rickshaw-puller by cops for extortion: Family on verge of starvation" (February 11, 2016)

Salahuddin Jamal
 The cops including the IGP should not only arrange for his treatment but also ensure his future rehabilitation and the sustainability of his family in the immediate future. A Judicial Commission should be instituted to ensure that not only the guilty are punished but also the Rickshawwala is adequately compensated in the most sustainable manner.

LETTERS TO THE EDITOR

letters@thedailystar.net

Ekushey book fair

Ekushey book fair is being held at the Bangla Academy premises and Suhrawardy Udyan. Every day as the afternoon arrives, the bibliophiles crowd the fair ground. Needless to say, the fair promotes the habit of reading -- a practice that is feared to be on the wane with the arrival of electronic gadgets like computers and smartphones. But nothing compares to the smell of a newly published book and the very feel of the crisp paper. It is wonderful that, at the fair, readers can meet their favourite writers who sign the copies of their books. We hope that in the future, similar book fairs will be arranged in other cities of the country as well.
 Zabed Wali
 Chittagong

Sorry state of a playground

Last year when I was in Chittagong, I went to see the Parade Ground, a vast playground. I was impressed with the development of the place which had been turned into a recreation centre. There was a walkway around the playground. The place was buzzing with youngsters playing cricket, football and other sports. There were many health conscious people jogging or walking on the walkway. The place looked really clean. Two weeks back, on my last visit to Chittagong, I went to see the playground again and was astonished at the visible deterioration within the short span of a year. There were dust and decaying leaves everywhere; the paint on the grills was peeling off at places; people were using a corner of it as a urinal, and so on. Why such neglect? We hope the authorities will look into the matter.
 Mahbubur Rashid
 Bashundhara Residential Area
 Dhaka

A request to smartphone users

Nowadays, people use their smartphones to take mostly pictures. Whether they are on a car, bus, or train, they just keep 'clicking'. The reason why they take so many pictures is to post them on social media. Changing profile pictures, and posting photos, selfies, groupies and videos have become the new trend! No wonder, then, that people buy phones considering only the picture quality of the camera. My mother has also got this smart phone disease! Whenever we go on a trip outside the country, after coming back home, my mother immediately posts at least 20 to 30 pictures on Facebook. I am requesting all mobile phone users not to use their smartphones unnecessarily.
 Avik Chatterjee
 Peerless Nagar, Kolkata, India